

REMARKS

Status of the Claims

In the January 31, 2008 Office Action, the Examiner noted that claims 1-23 were pending in the Application. Claims 3, 4, 13, 18 and 23 have been canceled herein without prejudice or disclaimer. Claims 1, 2, 5-12, 14-17 and 19-22 have been amended herein. Thus, claims 1, 2, 5-12, 14-17 and 19-22 remain pending for consideration which is respectfully requested. Support for the amendments herein can be found, for example, on page 10, line 37 to page 12, line 30, of the Specification as filed. No new matter has been added.

Rejection under 35 U.S.C. § 112

On page 2 item 2, the Office Action rejected claims 2-8, 10-13, 15-18, and 20-23 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Dependent claims 2-8, 10-13, 15-18 and 20-23 have been amended herein to recite "the visiting customer management system" and claims 6, 11, 16 and 21 have been amended to clarify a "point-of-sales" terminal. Accordingly, Applicants respectfully request the rejection be withdrawn.

Rejection under 35 U.S.C. § 102

On page 3, item 3, the Office Action rejected claims 1-23 of 35 U.S.C. § 102(b) as being anticipated by Walker U.S. Patent 6,985,879. This rejection is respectfully traversed.

Claim 1, as amended recites:

a visiting-customer information storage device in which customer identification information detected by said first detector is stored... and a terminal that includes a second detector... when the second detector detects customer identification information... who belongs to a same group as said customer... said customer is recognized to have come with another member of the group and a reward is given to said customer

(claim 1, lines 5-17). Accordingly, claim 1 is directed to providing the ability to recognize and provide a reward when a group member has visited a retail shop for example with another group member. Thus, claim 1 relates to providing an incentive for having a group member bring another group member to a particular location (e.g. retail location).

In contrast, Walker relates to a frequent shopper program that allows individual customers to register as a group and receive rewards based on the purchasing conditions of the

entire group (see for example Figure 5 "Reward Rules"). Although Walker is directed to providing an incentive for group members to shop at a particular retail store, Walker does not contemplate nor describe the ability to "detect" when a group member physically brings another group member to a particular retail store. For example, the Office Action on page 3, second paragraph, asserted that Walker describes that the customer device may be a personal computer, PDA or cellular phone that may communicate over radio frequency, infrared, cable etc. The customer device described in Walker, however, merely provide the ability to facilitate a purchase, request a reward, open messages, or complete a transaction for example. Walker does not describe using the customer device as a way to "detect" the physical presence of a customer at a retail location. Accordingly, Walker fails to either implicitly or explicitly describe "when the second detector detects customer identification information... who belongs to a same group as said customer... said customer is recognized to have come with another member of the group and a reward is given to said customer" as recited by claim 1. Therefore claim 1 patentably distinguishes over the cited art.

Independent claim 9 recites:

if customer identification information on another member of the group to which said customer belongs corresponds to one of the pieces of customer identification information on the other customers that are present in said shop, said customer is recognized to have come with another member of the group and a reward is given to said customer.

Therefore claim 9 patentably distinguishes over the cited art.

Independent claim 14 recites:

if one of pieces of customer identification information for other customers that are present in said shop corresponds to the customer identification information for said another member who belongs to the same group as said customer, said terminal judges that said customer has come with another member of the group and said reward is given to said customer.

Therefore claim 14 patentably distinguishes over the cited art.

Independent claim 19 recites:

if customer identification information on another member of the group to which said customer belongs corresponds to one of the pieces of customer identification information on the other customers that are present in said shop, said host computer judges that said customer has come with another member of the group and notifies said terminal of the result of the judgment, and a reward is given to said customer.

Therefore claim 19 patentably distinguishes over the cited art.

The remaining dependent claims inherit the patentable recitations of their respective base claims, and therefore, patentably distinguish over the cited art for at least two reasons discussed above in addition to the additional features recited therein.

In view of the above, Applicants respectfully request the rejection be withdrawn.

Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

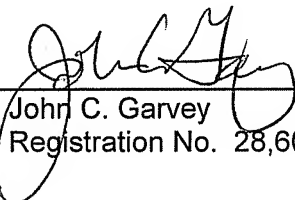
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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